

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**USE OF SUBSTITUTED 4-BIARYLBUTYRIC AND 5-BIARYLPENTANOIC  
ACID DERIVATIVES AS MATRIX METALLOPROTEASE INHIBITORS  
FOR THE TREATMENT OF RESPIRATORY DISEASES**

the specification of which is attached hereto,

or was filed on **December 20, 1999**

as a PCT Application Serial No. **PCT/EP99/10110**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s), the priority(ies) of which is/are to be claimed:

|                                |                             |   |
|--------------------------------|-----------------------------|---|
| <b>98 28 845.9</b><br>(Number) | <b>Germany</b><br>(Country) | <b>December 30, 1998</b><br>(Month/Day/Year Filed)  |
| <b>99 22 709.2</b><br>(Number) | <b>Germany</b><br>(Country) | <b>September 24, 1999</b><br>(Month/Day/Year Filed) |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose the material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| (Application Serial No.) | (Filing Date) | (Status)                       |
|--------------------------|---------------|--------------------------------|
|                          |               | (patented, pending, abandoned) |
| (Application Serial No.) | (Filing Date) | (Status)                       |
|                          |               | (patented, pending, abandoned) |

POWER OF ATTORNEY: As a na inventor, I hereby appoint the following atto(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Jeffrey M. Greenman, Reg.No. 26552  
Barbara A. Shimei, Reg. No. 29862  
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|--|--|--|--------------------|
| <u>Send Correspondence To:</u><br><u>Mr. Jeffrey M. Greenman</u><br><u>Bayer Corporation</u><br><u>400 Morgan Lane</u><br><u>West Haven, Connecticut 06516</u> |  | <u>Direct Telephone Calls To:</u><br><br>(203)812-3964(Jerrie L. Chiu) |                    |
| FULL NAME OF SOLE OR FIRST INVENTOR<br>Mary F. Fitzgerald  |  | INVENTOR'S SIGNATURE<br><i>Mary F. Fitzgerald</i>                      | DATE<br>2001-07-09 |
| RESIDENCE<br>Oxon OX5 1QB, Great Britain GBN   |  | CITIZENSHIP<br>British   |                    |
| POST OFFICE ADDRESS<br>2 Paternoster Court, Cassington Road, Yarnton, Oxon OX5 1QB, Great Britain  |  |  |                    |
| FULL NAME OF SECOND INVENTOR<br>Philip J. Gardiner   |  | INVENTOR'S SIGNATURE<br><i>Philip J. Gardiner</i>                      | DATE<br>2001/08/06 |
| RESIDENCE<br>High Wycombe Bucks HP11QF, Great Britain GBN  |  | CITIZENSHIP<br>British   |                    |
| POST OFFICE ADDRESS<br>16 Daws Lea, High Wycombe Bucks HP11 QF, Great Britain  |  |  |                    |
| FULL NAME OF THIRD INVENTOR<br>Kevin Nash  |  | INVENTOR'S SIGNATURE<br><i>Kevin Nash</i>                              | DATE<br>2001/09/06 |
| RESIDENCE<br>Burnham Slough SL2 2NE, Great Britain GBN   |  | CITIZENSHIP<br>British   |                    |
| POST OFFICE ADDRESS<br>136A Littelbrook Avenue, Burnham Slough SL2 2NE, Great Britain  |  |  |                    |
| FULL NAME OF FOURTH INVENTOR<br>Graham Sturton   |  | INVENTOR'S SIGNATURE<br><i>Graham Sturton</i>                          | DATE<br>2001/08/06 |
| RESIDENCE<br>Maidenhead SL6 2DW, Great Britain GBN   |  | CITIZENSHIP<br>British   |                    |
| POST OFFICE ADDRESS<br>184 Windsor Road, Maidenhead SL6 2DW, Great Britain   |  |  |                    |
| FULL NAME OF FIFTH INVENTOR<br>Günter Benz   |  | INVENTOR'S SIGNATURE<br><i>Günter Benz</i>                             | DATE<br>2001/06/19 |
| RESIDENCE<br>D 42553 Velbert, Germany DEX  |  | CITIZENSHIP<br>German  |                    |
| POST OFFICE ADDRESS<br>c/o Bayer Aktiengesellschaft, D 51368 Leverkusen, Germany   |  |  |                    |
| FULL NAME OF SIXTH INVENTOR<br>Rolf Henning  |  | INVENTOR'S SIGNATURE<br><i>Rolf Henning</i>                            | DATE<br>2001-06-12 |
| RESIDENCE<br>D 42113 Wuppertal, Germany DEX  |  | CITIZENSHIP<br>German  |                    |
| POST OFFICE ADDRESS<br>c/o Bayer Aktiengesellschaft, D 51368 Leverkusen, Germany   |  |  |                    |
| FULL NAME OF SEVENTH INVENTOR<br>Karl-Heinz Schlemmer  |  | INVENTOR'S SIGNATURE<br><i>Karl-Heinz Schlemmer</i>                    | DATE<br>2001-06-21 |
| RESIDENCE<br>D 42113 Wuppertal, Germany DEX  |  | CITIZENSHIP<br>German  |                    |
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|--|--|------------------------------------|--|--------------------|
| 8-00<br>FULL NAME OF EIGHTH INVENTOR<br>Bernd Riedl                              |  | INVENTOR'S SIGNATURE<br>Buel Weill |  | DATE<br>2001-06-12 |
| RESIDENCE<br>D 42329 Wuppertal, Germany DEX                                      |  | CITIZENSHIP<br>German              |  |                    |
| POST OFFICE ADDRESS<br>c/o Bayer Aktiengesellschaft, D 51368 Leverkusen, Germany |  |                                    |  |                    |
| 9-00<br>FULL NAME OF NINTH INVENTOR<br>Helmut Haning                             |  | INVENTOR'S SIGNATURE               |  | DATE<br>2001-06-12 |
| RESIDENCE<br>D 42115 Wuppertal, Germany DEX                                      |  | CITIZENSHIP<br>German              |  |                    |
| POST OFFICE ADDRESS<br>c/o Bayer Aktiengesellschaft, D 51368 Leverkusen, Germany |  |                                    |  |                    |
| 10-00<br>FULL NAME OF TENTH INVENTOR<br>Lorenz Mayr                              |  | INVENTOR'S SIGNATURE               |  | DATE<br>2001-06-26 |
| RESIDENCE<br>D 79576 Weil am Rhein, Germany DEX                                  |  | CITIZENSHIP<br>German              |  |                    |
| POST OFFICE ADDRESS<br>Oberbaselweg 29/2, D 79576 Weil am Rhein, Germany         |  |                                    |  |                    |
| FULL NAME OF ELEVENTH INVENTOR   |  | INVENTOR'S SIGNATURE               |  | DATE               |
| RESIDENCE  |  | CITIZENSHIP                        |  |                    |
| POST OFFICE ADDRESS  |  |                                    |  |                    |
| FULL NAME OF TWELFTH INVENTOR  |  | INVENTOR'S SIGNATURE               |  | DATE               |
| RESIDENCE  |  | CITIZENSHIP                        |  |                    |
| POST OFFICE ADDRESS  |  |                                    |  |                    |
| FULL NAME OF THIRTEENTH INVENTOR   |  | INVENTOR'S SIGNATURE               |  | DATE               |
| RESIDENCE  |  | CITIZENSHIP                        |  |                    |
| POST OFFICE ADDRESS  |  |                                    |  |                    |
| FULL NAME OF FOURTHEENTH INVENTOR  |  | INVENTOR'S SIGNATURE               |  | DATE               |
| RESIDENCE  |  | CITIZENSHIP                        |  |                    |
| POST OFFICE ADDRESS  |  |                                    |  |                    |
| FULL NAME OF FIFTEENTH INVENTOR  |  | INVENTOR'S SIGNATURE               |  | DATE               |
| RESIDENCE  |  | CITIZENSHIP                        |  |                    |
| POST OFFICE ADDRESS  |  |                                    |  |                    |
| FULL NAME OF SIXTEENTH INVENTOR  |  | INVENTOR'S SIGNATURE               |  | DATE               |
| RESIDENCE  |  | CITIZENSHIP                        |  |                    |
| POST OFFICE ADDRESS  |  |                                    |  |                    |
| FULL NAME OF SEVENTEENTH INVENTOR  |  | INVENTOR'S SIGNATURE               |  | DATE               |
| RESIDENCE  |  | CITIZENSHIP                        |  |                    |
| POST OFFICE ADDRESS  |  |                                    |  |                    |

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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